

FRANKLIN COUNTY COMMISSIONERS MEETING

JANUARY 22, 2008 @ 9:00 A.M.

County Commissioners Public Meeting Room

Those Present:

County Commissioners:	Thomas E Wilson	Eric E Roberts	Donald M VonderMeulen
County Auditor:	Susan A Jones		
Commissioners Secretary:	Carol Westerman		

Thomas Wilson opens the January 22, 2008 Commissioners Meeting at 9:00 A.M. with the Pledge of Allegiance.

JIM SUHRE
CONCERNED
CITIZEN

Jim Suhre, Brookville Township, Stanley Monroe and Gene Wilson, heard through the grapevine that the Proposed Zoning Text was not killed, and he basically heard that from Tammy Davis, (Area Plan Commission Attorney) that it is still being brought in front of the Commissioners. That the 800 people at the Public Hearing that thought the Proposal was dead and making sure it did not come be you the Commissioners today. Tom Wilson feels like it and understands was killed the other night at the Public Hearing, when yourself and Tammy Davis were there at the microphone and said yes it was dead. But like you, he had also heard through the grapevine and looking up the code, that Joe Gillespie’s motion was not legal and improper, that it still needed to come before the Commissioners, but that is hear say, have not heard from Tammy Davis, getting conflicting reports. John Estridge said he had talked to Tammy Friday and it was dead, that Joe’s motion had supersedes the previous motion. Jim said she had talked to Jean Liesing on Friday and it was not dead. Jim Suhre stated that Don VonderMeulen would go along with the APC recommendation. Jim had heard it was coming at the next meeting. Tom said he wouldn’t be here and wouldn’t want to see that happen, that at least I would get to look at it. Jim said he was here today to see that it was not on the agenda today. Tom stated it his hope and the will of the people, that their wishes are respected and carried out and form that committee and revamp the zoning text, represent that to the Area Plan, don’t think it feasible to do it in 90days, when it took years to work on. Would like to see it represented later in the fall to look at it again.

Don asked whose responsibility is it to form the new committee, he read in the paper that it would be the Commissioners. Joe Gillespie said that is correct, that was in his motion. The original CIC Committee was set up by the Commissioners, they made application through the Area Plan Commission and was passed onto the Commissioners. Tom said people signed up at the meeting the other night. Jim said he had the list and is working on it and setting up meetings for the Concerned Citizens with Common Sense to get a list of names and plan together. Would also like putting the work in process on a web site. The committee needs to be small in number and people, so it’s workable. But, also that people feel that they are not locked out, so these meeting will be on the computer and have their input. Don asked Jim when we would have their suggestion. Jim said looking maybe the 15th of February or maybe February 11th, wants to publish at least 10 days for our meeting. Don also asked for a copy of the list from the Public Hearing.

Later on in the Meeting a motion was made by Tom Wilson supporting Joe Gillespie’s Motion from the January 14, 2008 Public Hearing, that the proposed zoning text be dead and rewritten. Joe’s motion was reread by Don VonderMeulen, that the Franklin County Area Planning Commission give an Unfavorable Recommendation to the proposed Zoning Ordinance, and the proposed subdivision control ordinance so that is not certified to the Commissioners. To request the Board of Commissioners to form in the next 30 days a new citizens’ input committee that will: Review the proposed ordinances, paying special attention to the public concerns raised in this hearing, and review and amend the current, existing zoning code. Rewrite the proposed ordinances in plain and simple language, and present the revised ordinances to the APC in the calendar year 2008. Eric Roberts seconds. Don VonderMeulen, All in favor. Motion carried.

SIGNUP LIST FOR NEW CIC from January 14, 2008 Public Hearing.

Jean Leising	Brian Patterson	Jim Suhre	Justin C Moore	Grace Willis
Michael Moore	Tom Carrow	Martin Brunner	Ken Konradi	Ruth Geis
Gary Wolfe	Rob Siedling	Dennis Kolb	Rob Seig	Margaurette Dye
Sally Henson	Jacqueline Sizemore	Gene Wilson	Thomas Ritz	Lisa Hollars
Tim Hollars	Joshua Grimmeissen	Carol Roemer	Keith Hicks	Keith Drake
Ronald Schnecker	A. Sue Ferris	Darel Cooper	Theresa Kolb	Joe Stahl
Dennis Hebauf	Brian Kunkel	Dean Thompson	Jim Vohland	Lauren Hinderberger
Harry Graves	Garry Harsh	Joann Koch	Dennis Lackey	Donald Lackey
Brian (Snook) Nobbe	Robert Braun	Martha Shea	Kate Greene	Todd Raible
Frank Thompson	Jill Leising Koch	Loren McMillan	Dave White	Glen Baxter

TOM RITZ

WEEKLY
REPORT

Susan Jones, Auditor reported that we are having problems with the penalty program that had been put on. The program put on a 15% penalty, instead of 10%, waiting on Manatron to get back with us. Tom asked about values, Sharon is real close in rolling Real Estate and Personal values to the Auditor’s Office.

ORDINANCE
2008-02

An Ordinance to Provide for Application of the 2007 Additional Homestead to Delinquent Taxes. Tom questions applying the refund to unpaid taxes. If this ordinance is not passed, then the refund check would get sent to those who had not paid their taxes. Will present Public Law 234-2007, Section 300 at the next meeting.

Don VonderMeulen moved to approve Ordinance 2008-02. Tom Wilson seconds. Eric Roberts, All in Favor. Motion carried.

REIMBURSEMENT
PUBLIC
TRANSPORTATION

The 4th Quarter Public Transportation for 2007 was presented for approval. Requesting \$36,599 from State Funds and \$48,850 from Federal Funds totaling \$127,249.

Tom Wilson motioned to sign the 4th Quarter Reimbursement for Public Transportation. Eric Roberts seconds. Don VonderMeulen, All in favor. Motion carried.

EPA SETTLEMENT
& RELEASE
AGREEMENT

An EPA Settlement and Release Agreement had been forwarded to the Board of Commissioners for settlement in the 2.7 Million EPA Suit filed in 2007. After months of investigations, the EPA did an ability to pay study and it was determined that Franklin County could pay \$350,000.00. If the County does not settle and the County takes it to Federal Court, the attorney fees could go beyond \$350,000.00 to fight it and there’s no guarantee on the outcome. It could then go back to the original 2.7 Million.

The Settlement is \$350,000.00 with \$100,000.00 to be paid sometime late March/early April and the balance due within the next 12 months, plus 4.4% interest from when the \$100,000.00 is paid. Also in the settlement \$10,000.00 for legal fees is to be paid to ICE MILLER for a portion of Rapier’s Attorney Fees. The \$100,000.00 is coming out of the appropriation for Health Insurance and transferred in EPA Legal Services. The balance, as of now is unsure, looking at different options.

Tom Wilson makes motion to sign the EPA Settlement and Release Agreement. Eric Roberts seconds. Don VonderMeulen, All in Favor. Motion carried.

COURTHOUSE
REPORT

Eric Roberts reported that today’s Construction Meeting is changed from 1:00 P.M. to 3:00 P.M. The heat has been turned on as of January 17th. Needing final approval from the architect on the cooling lines that have been designed after the existing had failed the pressure testing. It had failed where the steel and copper were connected. The lines are designed to be replaced with copper.

MINUTES

Tom Wilson made motion to approve the minutes of January 14, 2008. Eric Roberts seconds. Don VonderMeulen, All in Favor. Motion carried.

JOHNSON FORK
BRIDGE 100

John Graf of Howard J Barth & Associates presented Change Order #5 to the Board of Commissioners regarding the area in which rip rap needs to be removed and removal of pre-existing concrete arch bridge foundation and abutment and the addition of mail box assembly. For a total amount of \$13,283.58. Eric Roberts is still questioning the rip rap that needs to be removed and the engineering not catching it when it was installed and having the state catch it was they had done their inspection.

Tom Wilson motions to sign change order #5. Don VonderMeulen seconds. Eric Roberts votes No. Motion carried.

HIGHWAY ENGINEER
WEEKLY REPORT

ENOCHSBURG COVERED BRIDGE 73 - George Hartman, Highway Engineer reported he had received information needed from Jim Barker of J.A. Barker Engineering for the Quarterly Report for FEMA. The updated estimate for construction cost increased from \$489,620.00 to \$531,620.00 due to prices increasing. We will need to include this project on the FA-3 Application for Additional Federal Funding. The Plans were completed and submitted to INDOT Central Office in March 2005. Right of Way Acquisition is close to being completed. Mr. Barker stated that his consulting’s firm cost for providing construction inspection will not increase. It will remain at \$79,617.00. Federal Highway Administration Funds will be required for Construction. The original Transportation Enhancement amount provided for this project was \$500,000.00, for construction and construction engineering. Mr. Barker asked that the plan sheets show the right of way acquired be mailed to him so he can include this information on the plans prior to submitting final documents to INDOT.

ADDITIONAL FUNDING NEEDED FOR FEDERAL AID BRIDGE PROJECTS – George reported he had talked to Brandi Fischvogit of INDOT Seymour District regarding the Federal Highway Administration Funds currently included on INDOT Records for Bridge Rehabilitation and Bridge Replacement Projects. The FHWA Bridge Projects are as follows as provided by Brandi on January 15th.

Railfence Road Bridge 110 Des No. 022725	-	\$1,440,000. - FHWA Bridge Funds
Railfence Road Bridge111 Des No. 0500802	-	\$ 600,000. - FHWA Bridge Funds
Enochsburg Covered Bridge 73 Des No. 0101357	-	\$ 500,000. - FHWA Transportation Enhancement
Pipe Creek Road Alley Ford Bridge 48 Des No. 0291280	-	\$ 400,000. - FHWA Transportation Enhancement
Blue Creek Road Bridge 94 Des No. 0088440	-	\$ 668,000. - FHWA Bridge Funds
Snow Hill Covered Bridge 102 Des No. 008920	-	\$ 416,000. - FHWA Transportation Enhancement
		\$ 100,000. - National Historic Covered Bridge Funds

Based upon the most recent cost estimates received from the consulting engineering firms providing preliminary engineering services for these projects, it will be necessary to request additional FHWA Funds for Construction of these projects. Applications are due into INDOT next month and a public hearing meeting is required.

JAIL LEASE
RENTAL

Tom Wilson motions to make the Jail Lease Rental Fund a Dormant Fund and apply to Courthouse Project. Eric Roberts seconds. Donald VonderMeulen, All in favor. Motion carried.

HISTORIC HOOSIER
HILLS LETTER

Commissioners sign letter.

WHITEWATER
RIVER ADVISORY
BOARD

There was again discussion of the Whitewater River Advisory Board, between the Board of Commissioners and Mr. Ritz. Tom Wilson will get with Joe Gillespie, County Surveyor, regarding the list of property owners along the Whitewater River in Franklin County.

ADJOURN Tom Wilson made motion to adjourn. Don VonderMeulen seconds. Eric Roberts, All in favor. Motion carried.

Those also Present:	Gene Wilson	Stanley Monroe	James R Suhre	Thomas Ritz
	Hollie Sintz	Joe Gillespie, Co. Surveyor	John Graf	Terry Duffy
	Tammy Harnishfeger	Jerry Harnishfeger	Harry Graves	Randy Ritz
	George Hartman	Cody Ritz	John Estridge	Seth T Whitecotton

AYE

NAY

Thomas E Wilson

Thomas E Wilson

ATTEST:

Eric E Roberts

Eric E Roberts

Susan A Jones

Donald M Vonder Meulen

Donald M Vonder Meulen